

IN SUPPORT OF ORDER TO SHOW CAUSE FOR
PRELIMINARY INJUNCTION

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

TEAMSTERS LOCAL UNION NO. 804 and
TEAMSTERS AMAZON NATIONAL
NEGOTIATING COMMITTEE,

Plaintiff,

-against-

NEW YORK CITY POLICE DEPARTMENT
and NEW YORK CITY POLICE
COMMISSIONER JESSICA TISCH,

Defendants.

DECLARATION IN SUPPORT

24 CV 08683

Liana Dalton declares:

1. I am the national campaign coordinator for the Amazon division of the International Brotherhood of Teamsters.
2. Plaintiff Teamsters Amazon National Negotiating Committee (“TANNC”) is a committee of affiliated local unions, including plaintiff Teamsters Local Union No. 804, Amazon Labor Union No. 1, International Brotherhood of Teamsters (“ALU-IBT Local 1”), Teamsters Local Union 396, and Teamsters Local Union 705 of the International Brotherhood of Teamsters. It is a national bargaining committee created pursuant to the International Brotherhood of Teamsters (“IBT”) Constitution, which is empowered to negotiate with Amazon.com Services LLC (“Amazon”) on behalf its affiliated local unions and their members

3. In my capacity as the National Coordinator for the Amazon division of the International Brotherhood of Teamsters, I was present at Amazon's DBK4 warehouse, located at 55-15 Grand Ave., Queens, NY 11378 ("DBK4"), continuously from about 5 a.m. to at least 1 p.m. today, December 19, 2024.
4. Pursuant to Section 9(a) of the NLRA, 29 U.S.C. § 159(a), a majority of employees at Amazon's JFK8 fulfillment center selected ALU-IBT Local 1 to serve as their exclusive bargaining representative in an election conducted by the National Labor Relations Board in April 2022. Certification of these results is currently pending.
5. In performance of its statutory duty to collectively bargain on behalf of these employees, TANCC and ALU-IBT Local 1 and its predecessors have been attempting to negotiate a collective bargaining agreement with Amazon for several years.
6. Despite these efforts, Amazon has refused to recognize or bargain with TANCC and ALU-IBT Local 1, as required by the NLRA.
7. Furthermore, Amazon has engaged in a systematic campaign of unlawful conduct intended to undermine and destroy TANNC and ALU-IBT Local 1. This campaign includes surveillance, harassment, threats, retaliation, and intimidation. Several unfair labor practice charges related to this conduct are currently pending before the NLRB.
8. Accordingly, in order to protest and resist Amazon's unlawful conduct, the International Brotherhood of Teamsters, acting in accordance with its International Constitution, began a lawful primary strike against Amazon on December 19, 2024. The strike, and accompanying picket lines, included locations across the country, including several in New York City.
9. These activities are protected by Section 7 of the NLRA, which guarantees employees "the

right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection.”

10. During that time and beginning around and/or after 5 a.m. today, we had a peaceful and orderly picket line in accordance with the Teamsters’ picketing instructions, which are attached hereto as Exhibit 1. While patrolling gates and entrances, we made sure to break to let vehicles and individuals in and out. At no time did any picketers engage in any disorderly, disruptive, violent, threatening, or otherwise unlawful activity.
11. The purpose of our picketing was to protest Amazon’s unlawful conduct, including unlawful labor practices and their refusal to bargain with the bargaining representative selected by employees. Amazon has engaged in a systematic campaign of unlawful conduct intended to undermine and destroy organizing efforts, including through surveillance, harassment, threats, retaliation, and intimidation.
12. Beginning around 6:45 a.m. or 6:50 a.m., the New York City Police Department (“NYPD”) began putting up barricades at the gates and entrances to DBK4. While putting up those barricades, I saw the NYPD hit a picketer with the barricade. Shortly thereafter, what appeared to be higher ranking NYPD officers arrived and the barricades were taken down.
13. Then around 7:38 a.m. and continuing to the present, the NYPD resumed interfering with our peaceful and orderly picket at DBK4 by putting the barricades back up and otherwise interfering with our rights as discussed below.
14. While at the picket line at DBK4, I observed the NYPD barricaded the gates of DBK4 completely and blocked the public sidewalk, blocking the right of way and interfering

with our ability to engage in a lawful picket. I observed the NYPD aggressively blocking our picket line with their bodies and putting their hands on people, even though the picket line was peacefully walking. The NYPD also “kettled” myself and other picketers with their metal barricades and trapped a group of picketers between barricades.

15. Because of the way the barricades are placed blocking the sidewalk and gates of DBK4, any member of the public using the sidewalk or attempting to picket would be required to walk in the middle of the street. At the same time, the NYPD played recordings saying picketers had to leave the roadway or they would be arrested.
16. While at the DBK4 picket line, I also witnessed the NYPD approach a driver. Multiple NYPD officers aggressively approached the driver, getting in his face aggressively. The driver was intimidated and confused. The NYPD officers tried to enter his van.
17. While at the DBK4 picket line, I observed the NYPD trying to prevent us from having conversations with workers. I also observed the NYPD meeting with Amazon management and receiving direction from Amazon management. The NYPD also stored barricades inside the DBK4 facility.
18. There is an excessive NYPD presence at DBK4.
19. The NYPD has issued multiple dispersal orders to the lawful, peaceful picketers.
20. The actions of the NYPD have and are creating an immediate public hazard in addition to interfering with individuals’ rights under Section 7 of the National Labor Relations Act and the First Amendment of the U.S. Constitution.
21. Our right to picket is actively and currently being restrained by the NYPD.
22. Teamsters Local Union 804 and its members, as well as TANNC and the members it represents, will suffer immediate and irreparable injury, loss and damage due to

interference by defendants with our ability to lawfully picket and organize workers.

Defendants are also creating an immediate safety hazard

23. Since the interference with picketers, including plaintiffs' members, is currently happening and causing immediate and irreparable harm to our ability to lawfully picket and organize workers as well as creating an immediate safety hazard, this motion has been brought by order to show cause and no prior request has been made for the relief requested herein. Unless the order to show cause is issued, the picketers, including plaintiffs, will continue to suffer immediate and irreparable injury, loss, and damage.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 19, 2024.

A handwritten signature in black ink, appearing to read "Liana Dalton", is written over a light blue rectangular background.

Liana Dalton